CONFIDENTIAL

Enquiries into the allegations against Government servants.

GOVERNMENT OF MAHARASHTRA.

GENERAL ADMINISTRATION DEPARTMENT.

Circular No. CDR/1161-D.

Sachivalaya, Bombay, 3rd February 1962. / Magha 14, 1883.

CIRCULAR OF GOVERNMENT.

Instructions with regard to the disposal of anonymous applications are contained in rule 3 of the "Rules for the preparation, submission and disposal of applications to Government" accompanying Government Resolution, Political and Services Department, No. OFC/1058-B, dated the 3rd December, 1958. According to that rule, anonymous applications are to be filed without taking any action thereon except when specific instances capable of verification are mentioned and are of sufficient public importance to be investigated. The authority dealing with such applications has thus to use its discretion and decide which of these applications should be enquired into and which should not. It is, however, noticed that in practice a number of such applications are passed on to the Anti-Corruption Bureau for enquiries without proper scrutiny. Although it is true that several cases of corruption have actually been detected by following up certain anonymous applications, it is considered that the practice of passing on annoymous applications to the Anti-Corruption Bureau for enquiry without proper scrutiny, especially in the case of Class I and Class II Government servants, is bound to affect seriously the morale of not only the officers concerned, but to some extent, of all Government servants, as these enquiries though supposed to be confidential usually leak out and gravely affect the officer's standing with the public, even where ultimately nothing is established against him. In order to guard against this and to ensure proper scrutiny of anonymous applications, it has been decided that before any such applications are passed on to the Anti-Corruption Bureau for enquiry, the personal orders of the Secretary of the Department, and if considered necessary by him of the Chief Secretary also, in the case of Class I and Class II Officers, and of the Head of the Department in the case of other Government servants, should invariably be obtained.

2. The question regarding the agency, viz. the Department or the Anti-Corruption Bureau, which should be employed for conducting enquiries into the allegations contained in anonymous applications which are proposed to be pursued, has also been examined by Government. The decision on this question would depend upon the nature of the allegations and other factors. It is considered that while cases in which the allegations are such as to involve detailed investigations, search, the recording of numerous statements, the inspection of bank balances, etc. should be passed on straightway to the Anti-Corruption Bureau, as it would be the only practicable agency for the purpose, it is desirable that other cases should be entrusted to the Departmental Heads, at least preliminarily, as they are expected to be conversant with the character and reputation for integrity of the Government servant concerned. The proper agency for laying traps, where such a step is necessary, would however continue to be the Anti-Corruption Bureau.

3. All Departments of the Secretariat and the Heads of Departments and offices under them are requested to follow these instructions scrupulously.

By order and in the name of the Governor of Maharashtra,

N. T. MONE,

Chief Secretary to the Government of Maharashtra.
General Administration Department.

To

The Secretary to the Governor,

The Private Secretary to the Chief Minister,

*The Prothonotary and Senior Master, High Court, Bombay,

*The Registrar, High Court, Appellate Side, Bombay,

All Commissioners of Divisions,

All Collectors,

The Inspector General of Police, Maharashtra State, Bombay,

The Director, Anti-Corruption and Prohibition Intelligence Bureau, Bombay,

All other Heads of Departments and offices under the several Departments of the Secretariat,

The Home Department,

All other Departments of the Secretariat.

*By letter.

No. of 1962.

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